

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, the claims have been amended for clarity.

The Examiner has rejected claim 12 under 35 U.S.C. 101, in that the claimed invention is directed to non-statutory subject matter.

Claim 12 has been amended to recites "non-transitory computer readable medium" and as such, Applicant believes that the Examiner's 35 U.S.C. 101 rejection thereof has been obviated.

As described in the specification on page 2, line 29 to page 3, line 9, an "exclamatory syntactical element" appearing in the transcript may indicate a corresponding "catchy and interesting" video segment which may be desirable for a video preview. However, as should be apparent, for such to be an "exclamatory syntactical element" it must differ from that ordinarily presented in the transcript. Claims 1, 2, 7 and 12 have been amended to clarify "exclamatory syntactical elements" and their relation to "catchy and interesting" video segments.

Applicant believes that the above changes and explanation answer the Examiner's 35 U.S.C. 112, paragraph 2, rejection of the claims, and respectfully request withdrawal thereof.

The Examiner has rejected claims 1-3, 6-10 and 12 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,703,655 to Corey et al. in view of U.S. Patent 7,339,992 to Chang et al. The Examiner has further rejected claims 4-5 under 35 U.S.C. 103(a) as

being unpatentable over Corey et al. in view of Chang et al., and further in view of U.S. Patent 7,360,234 to Robson et al. Finally, the Examiner has rejected claim 11 under 35 U.S.C. 103(a) as being unpatentable over Corey et al. in view of Chang et al., and further in view of Official Notice.

The Corey et al. patent discloses video programming retrieval using extracted closed caption data which has been partitioned and stored to facilitate a search and retrieval process, in which partitioning of the closed caption data is performed based on the uninterrupted dialogue of a single speaker (col. 6, line 32 to col. 7, line 29).

The Chang et al. patent discloses a system and method for extracting text captions from video and generating video summaries, in which caption boxes located in the video content are detected and the words decoded, wherein changes in the caption box may be indicative of an interesting change in the video content (e.g., the pitching statistics during a baseball game (col. 11, line 54 to col. 12, line 44)).

Claim 1 (as well as claims 7 and 12) includes the limitation "detecting from the signal containing transcript information exclamatory syntactical elements in the sentences, the exclamatory syntactical elements being indicative of catchy and interesting video segments that may be desirable in a video preview".

The Examiner has indicated that Corey et al. teaches

"detecting from the signal containing transcript information a first exclamatory syntactical element in the sentences (e.g. column 5, line 30- column 7, line 8 and figure 7, the closed caption data in figure 7 describes the audio/video data of "#ch 9 news, 5-6 PM 9-2-94", the first sentence "ON THIS TEAM I THINK WE CAN BE GOOD" must be detected to be formatted as shown in figure 7, column 2, lines 46-58, and "people work best when working with their hands" is not in capital, but "ON THIS TEAM I THINK WE CAN BE GOOD" is in capital. Searching for the capital sentence of Corey et al corresponds to detecting "exclamatory syntactical element" because claim 2 specifies the exclamatory syntactical element can be sentence comprising words being expressed with capitals)".

Applicant submits that the Examiner is mistaken. In particular, the first (un-numbered) line in the data shown in Fig. 7 is a descriptor indicating the origin of the ensuing text (see col. 5, lines 45-57). The actual text is shown in the lines numbered 1-27. It should be noted that in the actual text, there are no exclamatory syntactical elements, i.e., all of the letters of the text are in capital letters, there are no exclamation marks. The only thing present are ">>" marks indicating a different speaker (col. 7, lines 18-21).

While the Examiner is correct in that the phrase "people work best when working with their hands" is not in capital. However, as clearly denoted by Corey et al. at col. 2, lines 52-58, this is a query entered by a user, and is not presented to show different ways in which text is displayed in closed caption. Furthermore, this section of Corey et al. is describing the operation of a semantic query evaluator which examines the context of the terms in both the query and each text record. Applicant submits that there is no disclosure or suggestion in Corey et al.

of any detection of exclamatory syntactical elements which may be indicative of "catchy and interesting" video segments.

It is noted that the Examiner indicates that Corey et al. fails to specify "identifying catchy and interesting video segments to be included in a video preview"; "generating the video preview in the form of a video trailer or video abstract comprised of the collection of relevant video segments, wherein the respective selected portions from the video stream made up the collection of relevant video segments of the video preview that can be used as an overview to browse the program of audio-video information and provide a way to select from various recorded programs which ones to watch." and that Chang et al. teaches these limitations.

Applicant submits, however, that "identifying catchy and interesting video segments to be included in a video preview" is not a limitation of the claims. Rather, the detected exclamatory syntactical elements are indicative of "catchy and interesting" video segments which may be desirable in a video preview.

Applicant further submits that Chang et al. neither discloses nor suggests detecting such exclamatory syntactical elements as specifically set forth in independent claims 1, 7 and 12.

Claim 2 claims specific examples of exclamatory syntactical elements. It should be noted that the exclamatory syntactical elements are set apart from the rest of the content in the text of the transcript, and as such, are distinguishable from other text in the transcript. In the example noted by the Examiner,

to wit, "ON THIS TEAM I THINK WE CAN BE GOOD" of Fig. 7 of Corey et al. It should be noted that all of the text of the transcript of Fig. 7 is in capitals. Hence, the phrase "ON THIS TEAM I THINK WE CAN BE GOOD" cannot be considered an exclamatory syntactical element.

Claim 4 includes the limitation "filtering out relatively short sentences of the transcript information, wherein the relatively short sentences comprise a first word being equal to a second word of a particular set of words", while claim 5 includes the limitation "wherein the particular set of words comprises the words "yes", "no" and "thanks"."

The Robson et al. patent discloses a system, method, and computer program product for selective filtering of objectionable content from a program. However, Applicant submits that Robson et al. does not supply that which is missing from Corey et al. and Chang et al., i.e., "detecting from the signal containing transcript information exclamatory syntactical elements in the sentences, the exclamatory syntactical elements being indicative of catchy and interesting video segments that may be desirable in a video preview".

Claim 11 includes the limitation "wherein the removable memory device comprises an optical-disk."

The Examiner takes official notice that a memory device comprising an optical-disk is well known in the art. However,

Applicant submits that Official Notice does not supply that which is missing from Corey et al. and Chang et al., i.e., the claim 7 limitation "detecting means for detecting from the signal containing transcript information exclamatory syntactical elements in the sentences, the exclamatory syntactical elements being indicative of catchy and interesting video segments that may be desirable in a video preview".

In view of the above, Applicant believes that the subject invention, as claimed, is not rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicant believes that this application, containing claims 1-12, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by /Edward W. Goodman/
Edward W. Goodman, Reg. 28,613
Attorney
Tel.: 914-333-9611